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**CITY OF DELTONA, FLORIDA  
REGULAR CITY COMMISSION MEETING  
MONDAY, OCTOBER 19, 2009**

A Regular Meeting of the Deltona City Commission was held on Monday, October 19, 2009 at the City Hall Commission Chambers, 2345 Providence Boulevard, Deltona, Florida.

**1. CALL TO ORDER:**

The meeting was called to order at 6:32 p.m. by Mayor Mulder.

**2. ROLL CALL:**

Mayor	Dennis Mulder	Present
Vice Mayor	Michael Carmolingo	Present
Commissioner	Zenaida Denizac	Present
Commissioner	Janet Deyette	Present
Commissioner	Michele McFall-Conte	Present
Commissioner	Paul Treusch	Present
Commissioner	Herb Zischkau	Present
City Manager	Faith G. Miller	Present
Acting City Attorney	James "Skip" Fowler	Present
Acting City Clerk	Joyce Kent	Present

Also present: Planning & Development Services Director Chris Bowley; Building & Zoning Services Director Cy Butts; Deputy City Manager Dave Denny; Parks & Recreation Director Steve Moore; Fire Chief Robert Staples; and Public Works Director Glenn Whitcomb.

**3. SILENT INVOCATION AND PLEDGE TO THE FLAG:**

Mayor Mulder led the audience in the silent invocation and the Pledge of Allegiance to the Flag.

Mia Gomez, 2<sup>nd</sup> Grade, from Timbercrest Elementary School sang the National Anthem.

**4. APPROVAL OF MINUTES & AGENDA:**

**A. Minutes:**

**1. Regular City Commission Meeting – October 5, 2009.**

Vice Mayor Carmolingo asked that on Page 13, Line 29, the words "that the Sons of Italy would be hosting" be removed.

**Motion by Commissioner McFall-Conte, seconded by Vice Mayor Carmolingo to adopt the minutes of the Regular City Commission Meeting of October 5, 2009 as corrected.**

**Motion carried with members voting as follows:**

1	<b>Commissioner Denizac</b>	<b>For</b>
2	<b>Commissioner Deyette</b>	<b>For</b>
3	<b>Commissioner McFall-Conte</b>	<b>For</b>
4	<b>Commissioner Treusch</b>	<b>For</b>
5	<b>Commissioner Zischkau</b>	<b>Against</b>
6	<b>Vice Mayor Carmolingo</b>	<b>For</b>
7	<b>Mayor Mulder</b>	<b>For</b>

8  
9 **B. Additions or Deletions to Agenda:**

10  
11 **Ms. Miller asked that Mr. Bowley provide an update on the City's Pathways Out of Poverty**  
12 **Grant and the Commission concurred.**

13  
14 **5. PRESENTATIONS/AWARDS/REPORTS:**

15  
16 **A. Presentations - Quarterly Board Reports of City Advisory Boards/Committees.**

17  
18 **• Parks & Recreation Advisory Committee – Larry French, Chair**

19  
20 Mr. Moore stated Linda Bauer was appointed to the Advisory Committee in place of Danah  
21 Ludvick Grant who intends on participating on the Citizen Accessibility Advisory Sub-Committee  
22 in the future; the Committee worked on placement of a sponsored bench through the Adopt-A-  
23 Bench Program in one of the parks; and members were given a tour of the amphitheater and  
24 facilities of the renovated library and Lyonia Environmental Center (LEC).

25  
26 **• Citizen Accessibility Advisory Sub-Committee**

27  
28 Mr. Moore stated Debra Wert was appointed to the Sub-Committee in place of Danah Ludvick  
29 Grant; all members renewed their membership for one (1) more year; the Wheelchair Football  
30 Event was canceled due to lack of response but, the Sub-Committee is working on rescheduling  
31 this event in 2010; the Sub-Committee is working on offering a fishing tournament for disabled  
32 individuals in 2010; in September Mickey Beauregard discussed National Disability Mentoring  
33 Day which is October 21, 2009; the Sub-Committee brainstormed ideas for the 3<sup>rd</sup> Annual Ability  
34 Fair which will be held on March 13, 2010; and members volunteered to man the drop off sites for  
35 The Food and Clothing Drive to benefit residents on behalf of the Community Life Center.

36  
37 **• Senior Advisory Sub-Committee**

38  
39 Mr. Moore stated three (3) new members were added to the Sub-Committee; the members revised  
40 the Sub-Committee's By-Laws, drafted and completed a "Senior Questionnaire"; reviewed goals  
41 for the rest of 2009; held a joint meeting with the Youth Advisory Sub Committee to brainstorm  
42 on joint activities to benefit both boards such as The Food and Clothing Drive and the Sub-  
43 Committee organized and started planning on a Youth-Senior Prom Dance as part of Deltona  
44 Days.

45  
46  
47

1           • **Youth Advisory Sub-Committee**

2  
3 Mr. Moore stated the Sub-Committee is now 15 members strong; the Sub-Committee continues  
4 efforts to enhance the Teen Web Page; had a joint meeting with the Senior Advisory Sub-  
5 Committee; hosted the Food and Clothing Drive along with the Citizen Accessibility and Senior  
6 Advisory Sub-Committees; choreographed and rehearse a dance routine to be included at the  
7 Halloween Spooktacular event; design and build a float for the Deltona Day Parade; and the Sub-  
8 Committee has set optimistic goals for themselves and continues to express their desire to get  
9 more youth involved in the community.

10  
11 Commissioner Zischkau questioned if the Parks & Recreation Advisory Committee has any input  
12 on all the various sports teams that use City facilities and who controls the Advisory Committee's  
13 Agenda. Mr. Moore replied input is solicited when there is substantial information to warrant  
14 bringing it to the Committee and he stated the Chairperson is asked for topics for the Agenda but,  
15 staff prepares, posts and distributes it.

16  
17 **B. Update re: Pathways Out of Poverty Grant:**

18  
19 Mr. Bowley stated on September 29<sup>th</sup> the City submitted for the Pathways Out of Poverty Grant  
20 which is meant to increase employment and education in the green energy fields. The purpose is  
21 to lower employment poverty rates and to create sustainable jobs. The City applied for up to \$4  
22 million out of a range from \$2 to \$4 million for the overall grant amount to create a vocational  
23 training center that would be able to train and certify participants in solar energy field  
24 development. Jobs would create solar electric, solar thermal, solar hot water, energy rating, solar  
25 cells and estimating. Some of the focus points of the grant are working with diverse groups of  
26 partners, sustainable employment, sustainable projects able to continue after the grant runs out and  
27 working within one community assisting unemployed, under employed Veterans and  
28 disadvantaged individuals. The partners selected are a dynamic and diverse group of non-profits  
29 that will be needed to complete the goals of the grant which includes participants who must be  
30 able to receive assistance, life skills, job skills, GED testing and certification in a field, job  
31 placement and more. Mr. Bowley stated there was not too much announced about this grant  
32 because it is associated with a group of partners which were bound with others outside of the City  
33 that had the ability to go to other partners if other applicants were being "wooded". He stated the  
34 partners the City was able to retain thanks to Marion Daly are the Florida Solar Energy Center, the  
35 Florida Solar Energy Industries Association, the Center for Business Excellence, the Salvation  
36 Army, the Community Life Center, the Sylvan Learning Center, Simos Consulting, Inc., Plumbers  
37 and Pipefitters Union Local #295, International Brotherhood of Electrical Workers (IBEW) Local  
38 #756, Deltona Chamber of Commerce and Charity Farms.

39  
40 Vice Mayor Carmolingo questioned why he was not told the City was trying to obtain the grant  
41 and Mr. Bowley replied the decision was made quickly and if it was mentioned there may have  
42 been a chance the City would have lost some of its partners.

43  
44 Commissioner Deyette suggested checking into the possibility of renewing Marion Daly's  
45 contract.

46  
47 Commissioner Denizac questioned if the City has the manpower to manage all these different

1 programs and Mr. Bowley replied this would be done mostly outside the City, staff would be the  
2 grant writer, assemble the partnerships and provide knowledge but, it should operate perpetually  
3 on its own.

4  
5 **Mayor Mulder asked for the opportunity to meet with the City Manager to discuss the**  
6 **budget and some other issues and the Commission concurred.**

7  
8 **6. PUBLIC FORUM – Citizen comments for items not on the agenda.**

9  
10 a) Randy Hollensbe, 3305 Red Fox Drive, spoke regarding Deltona Youth Soccer, the 6v6 Program,  
11 the Deltona Adult Soccer League and documents which were provided to the Commission to help  
12 them in making a decision regarding the land use agreement.

13  
14 b) Shawn Manchetto, 3030 Bonkirk Dr., suggested the Commission ask questions that might help  
15 them answer some of the confusion surrounding both the Deltona Youth Soccer and the Adult  
16 Soccer League and he stated that soccer should be given back to the kids which are who it is all  
17 about.

18  
19 c) Taylor Moore, 1087 Prescott Blvd., spoke regarding Children Learning About Soccer in School  
20 (CLASS), scholarships for at risk children to play soccer and a meeting at Enterprise Elementary  
21 School explaining what Deltona Youth Soccer has to offer.

22  
23 d) Keith Caven, 1268 Homeway Lane, spoke regarding Deltona Youth Soccer, the 6v6 Program, the  
24 Deltona Adult Soccer League and documents which were provided to the Commission to help  
25 them in making a decision regarding the facility use agreement.

26  
27 **7. CONSENT AGENDA:**

28  
29 Commissioner Zischkau asked to pull Item 7-B for discussion.

30  
31 **Motion by Commissioner McFall-Conte, seconded by Commissioner Deyette to approve**  
32 **Items 7-A and 7-C through 7-F.**

33  
34 **Motion carried with members voting as follows: Commissioner Denizac, For; Commissioner**  
35 **Deyette, For; Commissioner McFall-Conte, For; Commissioner Treusch, For; Commissioner**  
36 **Zischkau, For; Vice Mayor Carmolingo, For; and Mayor Mulder, For.**

37  
38 **\*A. Request for approval to piggyback Volusia County's Price Agreement with Ferguson**  
39 **Waterworks for drainage materials and supplies – Stormwater Division.**

40  
41 **Approved by Consent Agenda - to approve using Ferguson Waterworks piggybacking the**  
42 **Volusia County Price Agreement for drainage materials and supplies for an annual period**  
43 **from October 1, 2009 through September 30, 2010 and renewing annually if funding is**  
44 **appropriated for each renewal period in accordance with the Volusia County Price Agreement.**

45  
46 **B. Request for approval to piggyback U.S. Communities/City of Charlotte/Mecklenburg**  
47 **County contract with Auto Zone – Fleet Maintenance Division.**

1  
2 Commissioner Zischkau questioned if staff would have to go to North Carolina to litigate the contract  
3 and Mr. Fowler replied if the City engages in such piggybacking the law of the jurisdiction of which  
4 the City piggybacks on would apply, in this case North Carolina.

5  
6 Commissioner Zischkau recommended disapproving this contract and to ask staff to find a contract  
7 the City can piggyback on in the State of Florida. Mr. Fowler stated the solution might be to ask the  
8 vendor to agree that the application of the law and the venue be in Florida.

9  
10 **Motion by Commissioner Zischkau, seconded by Commissioner McFall-Conte to approve a**  
11 **contract piggybacked on the referenced U.S. Communities City of Charlotte/Mecklenburg**  
12 **County North Carolina Contract with AutoZone for our Fleet Maintenance Division but,**  
13 **only on the condition that the other contracting party will agree to a venue in Florida.**

14  
15 **Motion carried with members voting as follows: Commissioner Denizac, For; Commissioner**  
16 **Deyette, For; Commissioner McFall-Conte, For; Commissioner Treusch, For; Commissioner**  
17 **Zischkau, For; Vice Mayor Carmolingo, For; and Mayor Mulder, For.**

18  
19 **\*C. Request for approval of piggyback from City of Port St. Lucie Bid for Cold Water**  
20 **Meters & Utility Appurtances – Deltona Water.**

21  
22 **Approved by Consent Agenda - to approve piggybacking the City of Port St. Lucie Bid for**  
23 **an initial period from October 1, 2009 through March 16, 2010 and renewed annually if**  
24 **funding is appropriated for each renewal period in accordance with City of Port St. Lucie**  
25 **Bid #20040043.**

26  
27 **\*D. Request for approval to purchase from Infamation Technologies as Sole Source –**  
28 **Deltona Water.**

29  
30 **Approved by Consent Agenda - to make award to Infamation Technologies Group, LLC for**  
31 **an initial period from October 1, 2009 through September 30, 2010 at a cost of \$30,000,**  
32 **renewable annually if funding is appropriated and it is confirmed that there are no other**  
33 **vendors that provide this service.**

34  
35 **\*E. Request for waiver of fees – SE09-011, Pizza Ministries Teen Abstinence Event.**

36  
37 **Approved by Consent Agenda - to move that in accordance with Commission Policy #CC99-**  
38 **005, that the Commission grants the request by Nick Pizza on behalf of Pizza Family**  
39 **Ministries, Inc. to waive the applicable permit fee, staff cost and in-kind services from the**  
40 **Parks and Recreation Department for the 5th Annual Campaign to Prevent Teen Pregnancy**  
41 **scheduled for November 21, 2009.**

42  
43 **\*F. Request for approval of Sole Source purchases from Ten 8 Fire Department.**

44  
45 **Approved by Consent Agenda - to approve Sole Source purchases from Ten 8 Fire Equipment**  
46 **at the total budgeted each year for Pierce parts and warranty services.**

1 **8. ORDINANCES AND -PUBLIC HEARINGS:** None.

2  
3 **9. OLD BUSINESS:** None.

4  
5 **10. NEW BUSINESS:**

6  
7 **A. Resolution No. 2009-38, Requesting the Volusia County School Board to develop an**  
8 **attendance plan for the 2011 School Year which would allow Deltona residents to continue to**  
9 **attend high schools within Deltona.**

10  
11 School Board Chairman Diane Smith stated she wanted to share some numbers with the  
12 Commission so it would know what some of the school's capacity is at for a 20 day count:  
13 Deltona High School - Population 2,981, Capacity 1,834; Pine Ridge High School - Population  
14 2,190, Capacity 1,741; and DeLand High School – Population 3,286, Capacity 2,804. She stated  
15 just looking at the numbers for Deltona High School and Pine Ridge High School those schools  
16 are overcrowded and she understands the Commission's desire is to keep the community whole  
17 but, the problem is the School Board has to look at all the numbers. She stated she will be  
18 attending a meeting with the superintendent of schools tomorrow where it will have a discussion  
19 as a board to include the hard numbers of who lives where and what amount of students would be  
20 pulled from Deltona schools to populate the new school. She stated Lake Helen and DeLand are  
21 also asking that their communities remain whole. She stated a lot more conversation has to be  
22 had, she has some ideas to share with the superintendent of schools and she understands and  
23 supports what the Commission is trying to do but, she does not think that all Deltona students can  
24 remain in Deltona schools.

25  
26 Mayor Mulder stated if it is an impossibility that Deltona cannot remain whole then he hoped that  
27 DeLand and Lake Helen also do not remain whole. He asked that Deltona remain as whole as  
28 possible.

29  
30 Commissioner Zischkau asked if juniors or sophomores would be grandfathered in. Ms. Smith  
31 replied juniors will have the option as well as those students with siblings attending the same  
32 school. She stated there will not be a Senior Class at the new school for the first year it is open.

33  
34 Commissioner Denizac stated she would like Deltona students to stay within Deltona boundaries if  
35 at all possible. She stated the City has bussed some of its best students to DeLand for years which  
36 she is not in favor of because Deltona schools do not benefit from their scores from tests like the  
37 FCAT.

38  
39 Commissioner McFall-Conte stated she was hoping to send her children to Deltona High School  
40 but, under scenario two (2) her children would be going to the new school. She stated she does  
41 not want to see Deltona students bussed outside the City and she agreed with the comments made  
42 by Mayor Mulder. She suggested Mayor Mulder or Vice Mayor Carmolingo speak on the City's  
43 behalf at the School Board Meeting on November 10<sup>th</sup>.

44  
45 Vice Mayor Carmolingo stated he understands how the Commissioners feel but, he would not like  
46 to see something so positive be turned into a negative. He stated the students need more room and  
47 the teachers need an opportunity to teach the same number of students in each classroom.

1  
2 Deltona High School Assistant Principal Carolyn Carbonell stated the frustrating part is if  
3 overcrowding is going to be relieved it not be done by pulling students from the center of the City  
4 and to take students from far removed areas places like DeLand and Lake Helen. She stated the  
5 City should be preserved first and foremost and if the numbers do not pan out then students are  
6 taken from the outskirts of the City. The middle schools need to be looked at to see what  
7 programs they are offering such as Future Farmers of America (FFA) which is offered at Deltona  
8 Middle School but, will not be offered at the new school. She stated there is a waiver process but,  
9 it is approved by school base depending on if there are seats. She stated she agreed with  
10 Commissioner Denizac that the Ivy Programs offered, traditionally in DeLand, when most of these  
11 programs are housed by Deltona High School and Pine Ridge High School students. She stated do  
12 not take a bunch of Deltona students and give the City traditionally zoned students from say Lake  
13 Helen.

14  
15 Deltona High School Assistant Principal Ruiz Shivrattan urged the Commission to join in the  
16 conversation just as other cities have and their voices are being heard. He stated it is time for  
17 Deltona to stand up for what it believes in and have their voices heard.

18  
19 Mayor Mulder asked that staff supply the Commission with a list of School Board Meetings and  
20 he encouraged the whole Commission to attend the meetings if possible.

21  
22 Ms. Smith suggested correcting the Agenda Memo to reflect the year 2010 not 2011.

23  
24 Commissioner Zischkau suggested noticing a meeting for the Deltona City Commission to take  
25 place in the School Board's Chambers so it could speak freely in the Sunshine in front of a clerk  
26 reporter while attending the meeting. Mr. Fowler stated it is possible but, it is a cumbersome  
27 process. It would be advertised as a public meeting of the Deltona City Commission which just  
28 happens to be taking place at the same time as the School Board Meeting and if this is what the  
29 Commission wants to do he asked that he be able to look into what the mechanics might be.

30  
31 **Motion by Commissioner McFall-Conte, seconded by Commissioner Deyette to approve**  
32 **Resolution No. 2009-38 requesting the Volusia County School Board develop an attendance**  
33 **plan for the 2010 school year which will allow Deltona residents to continue to attend**  
34 **Deltona and Pine Ridge High Schools and not the new high school "DDD" in Orange City.**

35  
36 **Motion carried with members voting as follows: Commissioner Denizac, For; Commissioner**  
37 **Deyette, For; Commissioner McFall-Conte, For; Commissioner Treusch, For; Commissioner**  
38 **Zischkau, For; Vice Mayor Carmolingo, For; and Mayor Mulder, For.**

39  
40 Mayor Mulder stated he talked to Mr. Harper with the News Journal who made a firm  
41 commitment to the City to educate the public on how the Commission feels about this issue and he  
42 stated he would like Mr. Harper to be present at the meeting as well.

43  
44 **11. CITY COMMISSION COMMENTS:**

45  
46 a) Commissioner Zischkau stated Mr. Moore provided the Parks and Recreation Advisory Board's  
47 Quarterly Report and he described an informal process. According to Mr. Moore's response to

1 previous questions staff solicits comments on various sports programs at every meeting from the  
2 Advisory Boards. He stated he is afraid that the private side of the City's public/private  
3 partnerships does not have one (1) particular month where their particular park is noticed as being  
4 on the agenda and everyone who uses that park has an opportunity to come out and be heard. He  
5 stated each park should be considered separately one (1) per meeting so that the public and the  
6 leagues can have a predictable time to provide input about their needs and concerns. This would  
7 give much more opportunity for the non-profits that the City contracts with, the various leagues,  
8 users, students and their parents to be heard and heard in a way that staff can translate what it  
9 hears and present it to the City Commission in much more detail.

10  
11 Commissioner Zischkau asked that the City Manager make a more formal and methodical  
12 process for the usage of each particular park and that each major City park should be scheduled  
13 for discussion as an agenda item at monthly meetings of the Parks & Recreation Advisory Board.  
14 **Ms. Miller suggested allowing staff to come up with some ideas and a schedule to bring**  
15 **back to the City Commission at the next workshop for discussion and the Commission**  
16 **concurred.**

17  
18 Vice Mayor Carmolingo stated he thinks it confuses the issue. He stated he has attended Parks  
19 and Recreation Advisory Board Meetings; he has heard from residents who have attended  
20 meetings and brought their concerns and have been satisfied. He stated the meetings should be  
21 left open for anyone to come to discuss whatever issues they have at the time.

22  
23 Commissioner Denizac suggested that all the different advisory board meetings take place at City  
24 Hall instead of scattered all over the City.

25  
26 b) Commissioner Deyette stated she attended the grand opening of the Deltona Regional Library.  
27 She stated what a tremendous learning and educational opportunity this is. There was a  
28 dedication for the Dr. Alice Cross Classroom where her son and grandson were present. In the  
29 library there are educational opportunities for all ages, classrooms for younger kids, special  
30 seating areas for teens, plugs for laptops and everything was thought of. The City should be very  
31 proud to be a part of it.

32  
33 c) Commissioner Deyette stated she attended the Hispanic Festival and she expressed some  
34 appreciation that was telephoned to her by residents that live nearby the park that the event ended  
35 at an earlier hour than it had in the past.

36  
37 d) Commissioner Deyette stated any first time homebuyers or people who have not owned a home in  
38 the past three (3) years should grab the opportunity for the first time purchase of a home because  
39 it does work and she gave some examples of people who took advantage of it.

40  
41 e) Commissioner Deyette stated she passed out to the Commission a sample brochure which is  
42 being put out by the Scenic Highway Committee that shows the scenic highway designation.  
43 This affects Deltona by bringing in economic development and visitors because the City is part of  
44 the River of Lakes Heritage Corridor. The River of Lake Heritage Corridor won a grant for  
45 \$72,000 for marketing and the City needs to make sure its points of interest are submitted for the  
46 next brochure. She stated in New York City old railroad beds are being used for raised trails  
47 which is the thing of the future and can attract people to the area. She stated she has discussed

1 with Mr. Moore the need to get with Pat Northey and County staff to try to work out activities  
2 with the City's trails and trails outside Deltona.

- 3  
4 f) Commissioner Treusch stated he attended the dedication of the Deltona Regional Library and he  
5 was impressed with the awesome facility but he did talk to a resident who is wheelchair bound  
6 who would have liked to go into Lyonia Preserve.

7  
8 **Commissioner Treusch asked that staff look into borrowing a handicapped wheelchair**  
9 **similar to what is used at the beach and try it to see if it would work for the citizens who are**  
10 **wheelchair bound that would like to explore the Lyonia Preserve and the Thornby**  
11 **property and the Commission concurred.**

- 12  
13 g) Commissioner Denizac thanked Commissioner Treusch for his suggestion and she stated the City  
14 should always be looking out for the disabled community and it should try to make this trail  
15 accessible to all people.

- 16  
17 h) Commissioner Denizac stated she received a phone call this afternoon by the designer of  
18 Butterfly Day Care who is trying to open a business in the plaza next to the Fire Department on  
19 Providence Blvd. She stated the gentleman was extremely upset and feels they have been treated  
20 unfairly and that the City is trying to put roadblocks impeding the progression of this business  
21 opening. The gentleman told her a building permit was provided to them to start remodeling the  
22 space to get the business established and then after the fact he received conditions which needed  
23 to be met. She stated she told him there was probably a mistake or something but, that she had to  
24 gather all the facts because the Commission has been trying to promote more businesses within  
25 the City and to make the permitting process as streamlined as possible. She stated she promised  
26 she would contact the gentleman back and she asked staff to assist or guide her so she can  
27 respond to this person.

28  
29 Mayor Mulder asked that staff report the issues and provide them to the Commission.

- 30  
31 i) Commissioner McFall-Conte stated the start of the Gang Awareness forum that the Boys & Girls  
32 Club is having will be at 6:00 p.m. on October 29<sup>th</sup> at Harris Saxon Park.

- 33  
34 j) Commissioner McFall-Conte stated she attended the Deltona Regional Library opening which is  
35 a beautiful facility that the City should be proud of. She stated her and her husband got library  
36 cards which she has not had in years. She stated the facility is double the size, how could anyone  
37 not want to go in and check out books.

- 38  
39 k) Commissioner McFall-Conte announced that she found out she is expecting twins in June. She  
40 stated she wanted to let the public know because with any multiple pregnancies there is a chance  
41 for bed rest. She stated she talked to Mr. Fowler to look into the law that allows for a medical  
42 necessity to participate in Commission meetings by conference call but, hopefully it will not  
43 come to that.

- 44  
45 l) Vice Mayor Carmolingo stated he attended the Deltona Regional Library opening and was very  
46 impressed. He stated Deltona, Volusia County and their partnership should be very proud. He  
47 stated it is a beautiful facility. He stated he went back in the afternoon to the amphitheatre and  
48 there was absolutely wonderful music playing. He stated the City of Deltona has gone forward in

1 servicing the residents and he cannot wait for the first Music in the Courtyard which will now be  
2 Music in the Amphitheatre. He stated he knows it will be a lovely event.

3  
4 m) Vice Mayor Carmolingo stated there is an organization that is going to have a Healthcare forum  
5 at the Community Center on November 5<sup>th</sup> at 7:00 p.m. He stated he knows everyone has a lot of  
6 questions, it is a hot topic and he urged anyone interested to attend.

7  
8 n) Mayor Mulder stated three (3) people tonight talked about the soccer issue and he wanted to let  
9 the Commission know that staff is working on this and sifting through the documentations. He  
10 recommended that the Commission not take part in it and let staff deal with it. He stated he trusts  
11 that staff will do the job that they are paid to do and he wished the best to the organization which  
12 is long standing in the community. He stated he appreciates the work Mr. Moore has done on the  
13 issue.

14  
15 o) Mayor Mulder stated he wanted to comment on the water supply plan the Commission submitted  
16 unanimously a couple of meetings ago. He stated there has been a lot of development with  
17 Farmton and the County, a development that is 10 times the size of the Lefler annexation that was  
18 so controversial for the County. The City kept the 180 service area in the water supply plan that  
19 was submitted to the Department of Community Affairs (DCA) and the County has stated that  
20 they are going to challenge the City's water supply plan. He stated it seems to him there are  
21 a couple of separate issues. As part of Interlocals all the Cities have signed off on the County's  
22 water supply plan and he thought it was supposed to be a matter of formality. Everyone has  
23 signed off on each other's water supply plans. He stated there seems to be this issue that the  
24 County does not want to sign off on Deltona's because of the 180 service area. He stated it is his  
25 understanding that the 180 service area is provided for statutorily to any city in Florida. He stated  
26 he would hate to think the County is not going to sign off on the City's water supply plan holding  
27 off good development that the City needs. He stated he was hoping the Commission could send a  
28 letter to the County stating the Commission knows that the County feels passionately about both  
29 issues but, that they be separated out and ask that it sign off on the City's water supply plan.

30  
31 **Mayor Mulder asked that the Commission send a letter to the County asking them to**  
32 **sign off on the City's Water Supply Plan and to have the Acting City Attorney begin**  
33 **strategizing with the City Manager and Deputy City Manager in the City's defense of the**  
34 **180 service area and the Commission concurred.**

35  
36 **12. CITY ATTORNEY COMMENTS:**

37  
38 Mr. Fowler stated he distributed a memorandum last week regarding correcting minutes.

39  
40 **13. CITY MANAGER COMMENTS:**

41  
42 Ms. Miller stated back in June the Commission directed staff to offer Daytona State College a  
43 couple of different options regarding the renewal of their agreement. She stated the Commission  
44 suggested a three (3) year agreement with no participation in the cost of utilities or offer a five (5)  
45 to seven (7) year agreement with participation in the cost of utilities. Mr. Fowler's firm has  
46 readdressed the issue with Daytona State College who has agreed to a three (3) year agreement  
47 with no participation in utilities that will expire on June 30, 2012; this is the same agreement that  
48 was prepared by the former City Attorney. **Ms. Miller asked the Commission for authority to**

1 **sign the agreement and the Commission concurred.**  
2

3 Ms. Miller stated normally for the holiday season the number of Commission meetings is reduced.  
4 **Ms. Miller asked if the Commission wanted to reduce the number of regular meetings in the**  
5 **month of December and the Commission concurred to hold one Regular City Commission**  
6 **Meeting on Monday, December 14, 2009 and to include any items that come up for**  
7 **workshop discussion and to not schedule any workshops during the month of December.**  
8

9 Ms. Miller reminded everyone of the Halloween Spooktacular Event which takes place this Friday  
10 from dusk to 10:00 p.m. and on Saturday from 6:00 p.m. to 10:00 p.m. at Dewey O'Boster Park  
11 and is free to the public.  
12

13 Commissioner Zischkau stated he was shocked when he received a mailing from the Deltona  
14 Youth Soccer Club (DYSC) who has been in existence longer than the City has and has had a  
15 contract for many years to use Dewey O'Boster Park. He stated he understands there have been  
16 some issues with Mr. Charlie Vance's split off group handling the Adult 6v6 Soccer. He stated he  
17 is wondering why the DYSC's application to renew their agreement has not already been placed  
18 on the agenda and approved. He stated he thought the entire controversy was over the adult league  
19 which was a separate agenda item.  
20

21 Ms. Miller stated the three (3) items were on the agenda when they were tabled by the  
22 Commission and it is her understanding that all three (3) were not ready to come back to the  
23 Commission.  
24

25 Mr. Moore stated staff has not received all the necessary documentation which would warrant  
26 renewing the agreement and they are not in compliance with the agreement as it stands.  
27

28 Commissioner Zischkau asked the City Manager to provide the Commission a report on what non-  
29 compliance problems there are with the agreement. Ms. Miller replied when agreements are  
30 renewed there is documentation which needs to be provided and she will get with Mr. Moore to  
31 supply a specific list of what documentation has not been provided.  
32

33 **14. ADJOURNMENT:**  
34

35 There being no further business, the meeting adjourned at 8:20 p.m.  
36  
37  
38  
39

40 **ATTEST:**  
41

\_\_\_\_\_  
42 **Dennis Mulder, MAYOR**

\_\_\_\_\_  
43 **Joyce Kent, ACTING CITY CLERK**  
44